

### **REMARKS/ARGUMENTS:**

Claims 1-20 are in this application. Claims 1-5 and 13-20 are withdrawn. Claims 6-12 are pending.

#### **In the Drawings**

Reference numeral 30 corresponding to the extending arm has been added to Figure 2. The numeral has been added in red as a proposed drawing correction. Applicant requests that the objection to the drawings be withdrawn.

Reference numeral 54 indicates a top overflow canal and 56 indicates a bottom overflow canal. These reference numerals were both included in Figure 2. For clarity, the reference lines have been redrawn to better indicate the element referred to in the drawing. The redrawn lines have been made in red as a proposed drawing correction. Applicant requests that the objection to the drawings be withdrawn.

Oxygen indicator filament is illustrated in Figure 1 as reference numeral 14. Applicant requests that the objection to the drawings be withdrawn.

#### **In the Claims**

Claims 6-12 are pending in the application. Claims 6 and 9 stand rejected under 35 U.S.C. §103 as being unpatentable over Ishimaru, JP411103989A in view of Vacovsky, U.S. Patent No. 6,158,82. Claim 8 stands rejected under 35 U.S.C. §103 as being unpatentable over Ishimaru in view of Vacovsky, and further in view of Gipson U.S. Patent No. 4,646,914. Claim 10 stands rejected under 35 U.S.C. §103 as being unpatentable over Ishimaru in view of Vacovsky, and further in view of Payson U.S. Patent No. 3,983,650. Claims 7, 11 and 12 are

objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base and intervening claims.

### **Claims 6 and 9**

Applicant submits that the combination of Ishimaru and Vacovsky would not render obvious Applicant's claimed encasement system because the prior art references, either alone or in combination, do not disclose or suggest a "side section disposed directly adjacent said transparent top section and bottom section, said side section having an extending arm, said extending arm having a top segment and a bottom segment and a channel defined there between, whereby a cavity is defined between said transparent top section, bottom section and side section for receiving the display article and whereby said channel is in communication with said cavity" as claimed in the present invention. Indeed, claim 6 specifically defines the extending arm having a top segment and a bottom segment and a channel defined there between. This extending arm is not defined in Ishimaru and the arguable extending arm in Vacovsky does not have a top segment and bottom segment and a channel defined there between. For at least this reason, Applicant submits that a *prima facie* case of obviousness has not been established by the suggested combination of Ishimaru and Vacovsky as one of skill in the art would not be motivated to combine these references in an attempt to arrive at the present invention.

With regard to claims 6 and 9, Applicant traverses the suggestion in the Office Action that one of skill in the art would be motivated to combine the teachings of Ishmaru and Vacovsky to arrive at the present invention. The Vacovsky reference is from a different and

unrelated art (storage of sporting jerseys). Further, no reason has been shown why one of skill in the art would have modified the picture frame of Ishimaru to provide extending arm having a top segment and a bottom segment and a channel defined there between as claimed and suggested to exist in Vacovsky. For the reasons stated above, applicant respectfully requests that the rejection to claims 6 and 9 be withdrawn.

#### **Claim 8**

With regard to claim 8, Applicant traverses the suggestion in the Office Action that one would be motivated to combine the teachings of Ishimaru and Vacovsky and Gipson to arrive at anything like the present invention. Applicant reiterates the arguments made above with respect to claims 6 & 9. The Gipson reference is primarily concerned with use of a pressure activated film tape for sealing relatively flat surfaces (See Fig 2). Hence, the Gipson reference teaches away from the use of a “side section disposed directly adjacent said transparent top section and bottom section, said side section having an extending arm, said extending arm having a top segment and a bottom segment and a channel defined there between, whereby a cavity is defined between said transparent top section, bottom section and side section for receiving the display article and whereby said channel is in communication with said cavity” as claimed in the present invention.. For the reasons stated above, applicant respectfully requests that the rejection to claim 8 be withdrawn

#### **Claim 10**

With regard to claim 10, Applicant traverses the suggestion in the Office Action that one would be motivated to combine the teachings of Ishimaru and Vacovsky and Payson to arrive at


anything like the present invention. Applicant reiterates the arguments made above with respect to claims 6 & 9. Claim 10 depends from claim 6 and further includes the limitation of a "transparent top section and bottom section are made from an ultraviolet protectant acrylic substrate capable of filtering at least 90% of ultraviolet light." The Payson Gipson reference is primarily concerned with use of an "ultraviolet stabilized acrylic". The reference does not disclose the ability of the substrate to filter at least 90% of ultraviolet light. For the reasons stated above, applicant respectfully requests that the rejection to claims 10 be withdrawn.

In view of the foregoing amendments and remarks, Applicant submits that claims 6-12 are novel, non-obvious and in a condition for allowance. A Notice of Allowability indicating the same is therefore earnestly solicited.

If applicant can be of any further assistance or provide any other information in the prosecution of this application, the Examiner is requested to call the undersigned at 810-845-5320.

Respectfully Submitted,

Georg A. Vihos

By   
Mick A. Nylander  
Reg. No. 37,200  
Attorney/Agent for Applicant  
12745 S. Saginaw Bldg 806 Suite 225  
Grand Blanc, MI 48439  
810.845.5320  
810.953.1068 fax

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